



## United States Department of the Interior

OFFICE OF THE SOLICITOR  
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July 13, 2005

Via Facsimile (279-4239) and U.S. MailHerbert H. Ray, Jr., Esq.  
Keesal, Young & Logan  
Suite 650  
1029 West Third Avenue  
Anchorage, AK 99501-1954

Re: M/V Selendang Ayu - Cooperative Vegetation Study

Dear Bert:

I am writing regarding the performance of a cooperative vegetation study to be performed by the U.S. Fish and Wildlife Service (FWS) and the responsible parties (RPs) to evaluate injury to vegetation in connection with the M/V Selendang Ayu incident. I understand that the parties have reached agreement on the following terms of the cooperative vegetation study:

1. The parties have prepared a mutually acceptable protocol (Protocol) entitled, "Joint Protocol: Selendang Ayu Oil Spill Pre-Assessment Study Plan: Injury to Native Vegetation Communities on Unalaska Island." The Protocol was signed on July 12, 2005 by Deborah Rocque and Gary Mauseth for the FWS and the RPs, respectively. A copy of the signed Protocol is attached.

2. The RPs will pay all costs associated with performing the vegetation study. Costs which will be paid directly by the RPs include, but are not necessarily limited to, the costs of providing a helicopter and/or skiff and skiff operator to transport participants from Dutch Harbor, Alaska to locations where field work will occur. All costs incurred by the FWS, including, but not necessarily limited to, travel and transportation costs of individuals participating in the study, labor costs, per diem, equipment, indirect costs and supplies, shall be reimbursed by the RPs within thirty (30) days of receipt of appropriate cost documentation.

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3. Unless mutually agreed by both parties, data collected pursuant to and in accordance with the Protocol shall not be challenged by either party.

If the RPs are in agreement with the terms of the cooperative vegetation study as described above, please sign the acknowledgment line below and return to me (my fax number is 271-4143) by the close of business on Thursday, July 14, 2005. I look forward to hearing from you.

Sincerely,



Lisa M. Toussaint

By signing on the line below, I acknowledge that the RPs are in agreement with the terms of the cooperative reference beach study as described herein.

Signature

Date

7/15/05

## Enclosures

cc: Deborah Rocque, U.S. Fish & Wildlife Service  
Jennifer Kohout, U.S. Fish & Wildlife Service  
Regina Belt, U.S. Department of Justice  
Craig O'Connor, U.S. Department of Commerce  
Breck Tostevin, State of Alaska